


Noreen Rucinski

Dir. Strategic Business Development
Schneider Rucinski Enterprises
3344 N Mt. View Dr
San Diego CA 92116
619-282-7977
Plaintiff in Pro Per
Appearing *pro se*

FILED

2008 JUL 16 PM 4:16

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY  DEPUTY

UNITED STATES DISTRICT COURT

IN AND FOR THE SOUTHERN DISTRICT OF CALIFORNIA

SCHNEIDER RUCINSKI ENTERPRISES,)

Plaintiff,)

vs.)

TOUCH ASIA)
STRATASOFT, INC)
INX, INC., a Texas Corporation formerly)
known as I-SECTOR CORPORATION;)
US COLO AT ONE WILSHIRE a Nevada)
corp,)

Defendants.)

Case No.: 08 CV 0138 WQH POR

Date:
Time:.

Judge: Hon. William Q Hayes

**PLAINTIFF'S REQUEST FOR EX PARTE
APPLICATION FOR CONTINUANCE OF
DUE DATE FOR FILING OPPOSITION
AND CONTINUANCE OF HEARING FOR
INX STRATASOFT AND USCOLO'S
(DEFENDANT'S) MOTION TO DISMISS,
MOTION FOR DEFINITE STATEMENTS.**

**PLAINTIFF'S REQUEST FOR EXPARTE MOTION FOR EXTENSION OF TIME, OR
CONTINUANCE OF DATE TO RESPOND WITH OPPOSITION
TO INX, STRATASOFT AND USCOLO AT ONE WILSHIRE'S (DEFENDANTS)
MOTION'S TO DISMISS FOR LACK OF SUBJECT MATTER, FAILURE TO STATE A
CLAIM, AND MOTION FOR A MORE DEFINITE STATEMENT.**

Plaintiff, Schneider Rucinski Enterprises, ("SRE"), pursuant to local Rules
7.1 California Administrative Code, respectfully submits and hereby files this
Motion for Extension of Time to Respond with an Opposition and continuance of

CR

1 date of the defendants Motions to Dismiss, Motions to for definite statements and
2 all the above mentioned motions. In support, SRE states as follows:

3 1. On July 19, 2008, the defendants posted electronically to the efile
4 system Motions to Dismiss, Motions to for more definite statement, etc. The
5 plaintiff received through regular United States Mail the INX and Stratasoft
6 motions on June 25th 2008. SRE has never officially received the US COLO's
7 document by the US mail services and has accepted a June 25, 2008 response by
8 email requested by SRE. This has caused a much shorter time to respond
9 properly. We understand it is not unreasonable to ask for an extension of time to
10 respond to file an opposition and request three weeks. An unforeseen schedule
11 and out of office demands has made this request necessary.
12

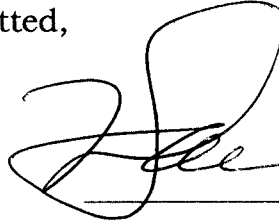
13 2. . This Motion for Extension of Time is made in good faith, and the
14 short extension requested will not unduly delay this proceeding or prejudice the
15 rights of the parties.
16

17 3. Pursuant to Local Rule, SRE conferred with counsel for INX and
18 Stratasoft regarding this request by email and US Mail. I was informed that INX
19 and Stratasoft does not oppose seeking an extension of time up to and including
20 up to three weeks to respond. I have not as of yet heard from counsel of US colo
21 but have sent him US Mail and an email requesting the extension and asking if
22 there was any problem with this.
23

24
25 **WHEREFORE**, SRE requests the Court to grant an extension of time for
26 the due date for the opposition and push back the date of hearing as the courts
27 see's fit after August 4 2008 or thereabouts, in the filing of Plaintiff's response to
28

1 INX, STRATASOFT, USCOLO'S Motion to Dismiss, Motions for more definite
2 statements.

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4 Respectfully submitted,

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8 Noreen Rucinski

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10 Noreenr@cox.net

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14 Pro Se
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion has been furnished by U.S. Mail and email to the following parties on this 15nd day of July, 2008:

Mark Wray

John E McCosker

Attorney for US Colo At One Wilshire

Waller Lansden Dortch & Davis LLP

608 Lander Street

333 S Grand Ave suite 1800

Reno Nevada, 89509

Los Angeles Ca 90071

775- 348-8877

Stephen Lubega

Waller Lansden Dortch & Davis LLP

333 S Grand Ave suite 1800

Los Angeles Ca 90071



Noreen Rucinski